



Jennifer Brown-Scott
Project Leader
Washington Maritime National Wildlife Refuge Complex
715 Holgerson Road
Sequim, WA 98382

August 16, 2019

RE: Jamestown Shellfish Farm –conservation measures

Dear Ms. Brown-Scott,

As you know, Jamestown Tribe seeks to resume its Dungeness Bay shellfish growing and harvesting operations and has applied for applicable local, state and federal permits. Liz and I discussed with you and Lorenz last year the Tribe's goal of meeting the terms and conditions of all applicable conservation measures of the Programmatic Biological Opinions for shellfish activities in WA State Inland Marine Waters (USFWS Reference number 01EWF00-2016-F0121, and NMFS Reference number WCR-2014-1502). In our conversation, we particularly focused on Conservation Measure #22 and best approaches to fulfilling the measure cooperatively with Dungeness National Wildlife Refuge (DNWR). Conservation measure #22 states:

At least once every three months, beaches in the project vicinity will be patrolled by crews who will retrieve debris that escape from the project area. Within the project vicinity, locations will be identified where debris tends to accumulate due to wave, current, or wind action, and after weather events these locations shall be patrolled by crews who will remove and dispose of shellfish related debris appropriately. A record shall be maintained with the following information and the record will be made available upon request to the Corps, NMFS and USFWS: date of patrol, location of areas patrolled, description of the type and amount of retrieved debris, other pertinent information.

Jamestown S'Klallam Tribe (JST) would like to coordinate with DNWR staff to satisfy this measure. JST understands that the DNWR Comprehensive Conservation Plan closes the vicinity beaches to most activity from October 1 – May 15, and that concerns have been raised about potentially disruptive activity on the tidelands during the migration and wintering periods of shorebirds and waterfowl. We are sensitive to these concerns and are working to develop a gear monitoring and retrieval plan that would minimize disruption to Refuge habitat and wildlife while still meeting the terms and conditions of the conservation measure.

Our proposed debris retrieval plan is outlined as follows:

1. Inventory all gear that is placed on the leased parcel. The location and number of bags will be documented during farm set up activities which will be focused between May 15 and June 30.
2. On a monthly basis, the farm crew (3-6 workers) will identify if there is missing gear during routine bag maintenance (see Operational Plan). Lost gear is expected to be minimal with on-bottom bag cultivation due to its low vertical relief and secure attachment. While unlikely, any on-bottom bag loss will be obvious.
 - a. if all gear remains on site: a record will be made of inspection date and shared with the Refuge;
 - b. if there is lost gear: the farm manager will communicate with Refuge staff to report gear loss and schedule a patrol. Based on the time of year and assessment of stop-over periods of shorebirds and waterfowl, the Refuge may direct the Tribe to perform a visual survey for the lost gear from boat (maintaining slow, no-wake speeds). If the gear is located within a closed area of the Refuge, the Tribe will coordinate with DNWR before scheduling a foot patrol to retrieve the gear. The Tribe will perform gear retrieval as directed by DNWR.
3. Retrieved gear will be the responsibility of the Tribe to dispose of at an appropriate facility; or to mend for reuse.
4. A record shall be maintained of:
 - a. Gear inventory onsite;
 - b. Onsite gear inspections, date and verification that all gear remains onsite or identification of type and amount of gear missing;
 - c. dates of visual surveys and foot patrols – with locations of escaped gear;
 - d. types and amount of retrieved debris and disposal method.
5. The record will be shared at least annually with DNWR and will be available to National Marine Fisheries Service and US Fish and Wildlife Service (agencies which require the marine debris patrol).

We request that you please review the above proposal and share your feedback with the Tribe. The Tribe remains committed to working with Dungeness National Wildlife Refuge staff to coordinate any on-site farm activities to ensure they either avoid or minimize disruption during documented migration and wintering periods for shorebirds and waterfowl. Once you have had an opportunity to review this proposal, we would like to arrange an in-person meeting to discuss. Thank you for your consideration and cooperative efforts on this matter.

Sincerely,

Hansi Hals
Natural Resources Director